

MINUTES, LIMESTONE COUNTY COMMISSION, MARCH 18, 2013

The Limestone County Commission met in a regular meeting today, at 10:00 a.m. at the Clinton Street Courthouse Annex, 100 South Clinton Street, Athens, Alabama.

PRESENT: Gary Daly, Steve Turner, James W. "Bill" Latimer, and Ben Harrison.
Absent: None. Stanley Menefee, Chairman presided.

The meeting began with the Pledge of Allegiance.

MOTION was made by Steve Turner and seconded by James W. "Bill" Latimer to approve the minutes of March 7 & 13, 2013.

The Chairman asked if there was any discussion. There was no discussion. The Chairman called the roll. Gary Daly, aye; Steve Turner, aye; James W. "Bill" Latimer, aye; and Ben Harrison, aye. Motion carries unanimously.

MOTION was made by Ben Harrison and seconded by Gary Daly to approve the following claims

3/01/13 Check 23453 - 23485	\$ 51,946.91
3/08/13 Check 23486 - 23561 & EFT	<u>\$696,870.22</u>
TOTAL	\$748,817.13

with detailed claims of the above being on file for review upon request to the County Administrator.

The Chairman asked if there was any discussion. There was no discussion. The Chairman called the roll. Gary Daly, aye; Steve Turner, aye; James W. "Bill" Latimer, aye; and Ben Harrison, aye. Motion carries unanimously.

MOTION was made by James W. "Bill" Latimer and seconded by Gary Daly to approve the following resolution for the Limestone County Commission to abandon a portion of the original right-of-way of Shaw Road in favor of Tennessee Valley Authority in return for right-of-way granted for relocated roadway.

RESOLUTION

WHEREAS, a deed in favor of Limestone County for right-of-way for a portion of Shaw Road was granted by the Tennessee Valley Authority in 1980 and recorded in Volume 748, Pages 745749 in the office of the Judge of Probate of Limestone County, AL, and

WHEREAS, the Tennessee Valley Authority has relocated and rebuilt said portion of Shaw Road on a new alignment, and has granted Limestone County a PERMANENT EASEMENT for the roadway on its' new alignment, and

MINUTES, LIMESTONE COUNTY COMMISSION, MARCH 18, 2013

WHEREAS, the Limestone County Commission hereby finds it in the public interest to vacate a portion of said original right-of-way, more particularly described in the attached EXHIBIT A, LAND ACQUISITION, BROWNS FERRY NUCLEAR PLANT, and

WHEREAS, the proposed vacation of said right-of-way has been duly advertised four consecutive weeks in the News-Courier, a newspaper of general circulation in Limestone County, and

WHEREAS, the Tennessee Valley Authority, the only adjoining property owner, has been notified of the proposed vacation and Public Hearing concerning the vacation of said right-of-way, and

WHEREAS, the relocated and rebuilt portion of Shaw Road and vacation of the portion of said original right-of-way described above and herein will not deprive the owner or the public of any right to convenient and reasonable means of ingress and egress, and

WHEREAS, a Public Hearing was held on May 2, 2011 at 10:00 AM at the Clinton Street Annex of the Limestone County Commission, and

WHEREAS, upon motion having been made by Commissioner Bill Latimer and seconded by Commissioner , for the Limestone County Commission to authorize and direct its Chairman to execute a Declaration of Abandonment of Certain Easements and Highway Rights-of-Way for the purpose of vacating the above and herein described right-of-way in favor of the Tennessee Valley Authority in exchange for the execution by the Tennessee Valley Authority on behalf of the United States of America of a Grant of Permanent Easement conveying to Limestone County the above and herein described Permanent Easement, with discussion having been held thereon and a vote taken, with said vote being unanimous.

THEREFORE, BE IT RESOLVED that the right-of-way as described above is hereby vacated in accordance with the Code of Alabama 1975 §23-4-1 and §23-4-2.

BE IT FURTHER RESOLVED that Stanley Menefee, as Chairman of the Limestone County Commission is hereby authorized and directed as such officer to execute a Declaration of Abandonment of Certain Easements and Highway Rights-of-Way for the purpose of abandoning to the United States of America a portion of the right-of-way of Shaw Road as described therein in exchange for the execution by the Tennessee Valley Authority on behalf of the United States of America of a Grant of Permanent Easement conveying to the county an alternate right-of-way for the purpose of relocating that portion of the said Shaw Road and to take and direct such further action and execute such documents as may be necessary to complete the matters herein resolved.

Done this 18th day of March, 2013.

MINUTES, LIMESTONE COUNTY COMMISSION, MARCH 18, 2013

Stanley Menefee, Chairman

Gary Daly, District 1

Steve Turner, District 2

Bill Latimer, District 3

Ben Harrison, District 4

ATTESTATION

I certify that the foregoing Resolution was, upon motion properly made and seconded, duly adopted by the members of the County Commission of the Limestone County, Alabama, at a regular meeting of said County Commission held on the ____ day of _____, 2013, of record in Minute Book _____, page _____

Date: _____

County Administrator

**EXHIBIT A LAND
ACQUISITION
BROWNS FERRY NUCLEAR PLANT**

Three parcels of land located on the Tennessee River at mile 294R on the Browns Ferry Reservation, in Sections 1 and 12, Township 4 South, Range 6 West of Limestone County, Alabama, as shown on US-TVA Drawing No. 67 MS 421 K 507 (D) R.0 and being more particularly described as follows:

Parcel 1

Commence at an Aluminum monument stamped BFN-1 having the coordinates N: 1715116.160, E: 2080638.581, being Plant Control No. BFN-1; thence N43°26'42"E, 2373.17 feet to the intersection of the new relocated Shaw Road right-of-way and the former Shaw Road right-of-way, being Corner No. 13Q1-1 and being 100.42 feet westerly of an angle iron found being Corner No. 1-7A in the Browns Ferry Nuclear Plant boundary, and being the point of beginning.

Thence leaving the new Shaw Road right-of-way and along a non-tangential curve of the new Shaw Road right-of-way, concave to the northeast and having a delta angle of 20°49'32", a length of 199.87 feet, a radius of 549.87 feet, and a chord bearing and distance of S34°18'36"E, 198.77 feet to a point of intersection with a non-tangential line, being Corner No. 13Q1-2; thence, S04°36'12"E, 412.01 feet to the beginning of a non-tangential curve being Corner No. 13Q1-3, said curve being concave to the east having a delta angle of 18°24'33", a length of 298.76 feet, a radius of 929.84 feet, and a

MINUTES, LIMESTONE COUNTY COMMISSION, MARCH 18, 2013

chord bearing and distance of S08°42'37"E, 297.47 feet to a point of intersection with a non-tangential line, being Corner No. 13Q1-4; thence, S17°12'24"E, 300.80 feet to a point being Corner No. 13Q1-5; thence, S35°29'53"E, 178.96 feet to a point being Corner No. 13Q1-5A; thence, S37°59'48"E, 1146.95 feet to the beginning of a non-tangential curve being Corner No. 13Q1-6, said curve concave to the southwest with a delta angle of 21°33'47", a length of 396.75 feet, a radius of 1054.22 feet, and a chord bearing and distance of S24°44'15"E, 394.41 feet to a point of intersection with a non-tangential line, being Corner No. 13Q1-7, a corner of Parcel 1 for TVA Road Project 67-1002; thence, S87°00'24"E, 367.90 feet to a point being Corner No. 13Q1-8; thence, S81°24'25"E, 353.45 feet to a point being Corner No. 13Q1-9, a corner between Parcel 1 and Parcel 2 of TVA Road Project 67-1002; thence, S89°32'15"E, 884.90 feet to a point intersecting the new Shaw Road right-of-way being Corner No. 13Q1-10; thence leaving the north right-of-way, S23°08'57"W, 108.39 feet to a point on the south right-of-way being Corner No. 13Q1-11; thence continuing along the south right-of-way, N89°32'15"W, 843.15 feet to a point being Corner No. 13Q1-12, a corner of Parcel 1 and Parcel 2 of TVA Road Project 67-1002; thence, S84°32'41"W, 485.13 feet to the beginning of a non-tangential curve being Corner No. 13Q1-13, said curve is concave to the southeast with a delta angle of 82°20'00", a length of 287.54 feet, a radius of 200.10 feet, and a chord bearing and distance of S49°17'36"W, 263.43 feet to a point of intersection with a non-tangential line, being Corner No. 13Q1-14; thence leaving the southeasterly right-of-way of the former Shaw Road, N82°31'30"W, 210.93 feet to the southwesterly right-of-way of the old Shaw Road right-of-way at the beginning of a non-tangential curve being Corner No. 13Q1-15, said curve is concave to the southwest with a delta angle of 42°48'10", a length of 638.17 feet, a radius of 854.26 feet, and a chord bearing and distance of N14°07'20"W, 623.43 feet to a point of intersection with a non-tangential line, being Corner No. 13Q1-16, a corner of Parcel 1 of TVA Road Project 67-1002; thence, N16°34'36"W, 154.19 feet to a point being Corner No. 13Q1-17; thence, N35°29'53"W, 994.53 feet to a point being Corner No. 13Q1-18; thence, N35°29'53"W, 178.96 feet to a point being Corner No. 13Q1-19; thence, N34°52'19"W, 351.81 feet to the beginning of a non-tangential curve being Corner No. 13Q1-20, said curve is concave to the east and having a delta angle of 18°15'33", a length of 363.19 feet, a radius of 1139.66 feet, and a chord bearing and distance of N08°43'46"W, 361.66 feet to a point of intersection with a non-tangential line, being Corner No. 13Q1-21; thence, N00°30'35"E, 268.82 feet to a point being Corner No. 13Q1-22; thence, N10°59'36"E, 274.60 feet to a point being Corner No. 13Q1-23; thence N00°37'54"E, 34.29 feet to the point of beginning and containing 16.536 acres, more or less. The above described parcel is a part of the same right-of-way of TVA Road Project 67-1002.

Parcel 2

Commence at an aluminum monument stamped BFN-1 having the coordinates N: 1715116.160, E: 2080638.581, being Plant Control No. BFN-1; thence N45°21'15"E, 2433.77 feet to an angle iron found being Corner No. 1-7A in the Browns Ferry Nuclear Plant boundary and the intersection of the former Shaw Road right-of-way, and being the point of beginning.

MINUTES, LIMESTONE COUNTY COMMISSION, MARCH 18, 2013

Thence leaving the former Shaw Road right-of-way, N89°44'09"W, 3.76 feet to the relocated Shaw Road right-of-way and the beginning of a non-tangential curve being Corner No. 13Q1-25, said curve is concave to the east with a delta angle of 43°54'19", a curve length of 352.95 feet, a radius of 460.60 feet, and a chord bearing and distance of N07°49'11"W, 344.38 feet to a point of intersection with a non-tangential line, being Corner No. 13Q1-26; thence, N13°59'55"E, 180.64 feet to the beginning of a non-tangential curve being Corner No. 13Q1-27, said curve is concave to the northwest with a delta angle of 13°09'07", a length of 79.04 feet, a radius of 344.32 feet, and a chord bearing and distance of N06°37'53"E, 78.86 feet to a point of intersection with a non-tangential line, being Corner No. 13Q1-28; thence, N00°00'56"E, 738.62 feet to a point in the Browns Ferry Nuclear Plant Boundary line, being Corner No. 13Q1-29; thence, S89°10'48"E, 9.73 feet to a concrete monument a corner of Browns Ferry Nuclear Plant Boundary, being Corner No. 1-6; thence S00°31'15"W, 1333.34 feet to the point of beginning, and containing 0.654 acre, more or less. The above described parcel is a part of the same right-of-way of TVA Road Project 67-1002.

Parcel 3

Commence at an aluminum monument stamped BFN-1 having the coordinates N: 1715116.160, E: 2080638.581, being Plant Control No. BFN-1; thence N36°33'48"E, 2748.44 feet to the intersection of the new relocated Shaw Road right-of-way and the former Shaw Road right-of-way, being Corner No. 13Q1-30, and being 505.54 feet northwest of an angle iron found being Corner No. 1-7A in the Browns Ferry Nuclear Plant boundary, and being the point of beginning.

Thence, N00°37'54"E, 836.35 feet to a point in the Browns Ferry Nuclear Plant boundary line, and being Corner No. 13Q1-31; thence with the said boundary line, S88°59'31"E, 7.44 feet to a point being Corner No. 13Q1-32; thence leaving the former Shaw Road right-of-way and the Browns Ferry Nuclear Plant Boundary line, and with the relocated Shaw Road right-of-way, S00°00'56"W, 738.62 feet to the beginning of a curve being Corner No. 13Q1-33, said curve is concave to the northwest, and having a delta angle of 13°11'31", a length of 59.91 feet, a radius of 260.20 feet, and a chord bearing and distance of S06°36'42"W, 59.78 feet to a point of intersection with a non-tangential line, being Corner No. 13Q1-34; thence S14°04'37"W, 39.35 feet to the point of beginning and containing 0.216 acre, more or less. The above described parcel is a part of the same right-of-way of TVA Road Project 67-1002.

Positions of corners and directions of lines are referred to the Alabama West State Coordinate System and NAD 83 (CORS 96) Horizontal Datum. Located on VTM Quad Jones Crossroads, AL 61-NE.

This description was prepared from the aforementioned US-TVA Drawing No. 67 MS 421 K 507 (D) R.0 and a survey dated 9/28/11 by:

MINUTES, LIMESTONE COUNTY COMMISSION, MARCH 18, 2013

Tennessee Valley Authority
1101 Market Street
Chattanooga, TN 37402-2801

The Chairman asked if there was any discussion. There was no discussion. The Chairman called the roll. Gary Daly, aye; Steve Turner, aye; James W. "Bill" Latimer, aye; and Ben Harrison, aye. Motion carries unanimously.

MOTION was made by Steve Turner and seconded by Gary Daly to approve the following budget revisions:

Department	Account Number	Title of Line Item	Amount
Farmer's Market	001-51923-231	R & M Building	+\$5,520.00
	001-35910-000	Budgetary Fund Balance	-\$5,520.00
Information Technology	112-51965-199	Services Provided by Other	+20,000.00
	112-35910-000	Budgetary Fund Balance	-20,000.00

The Chairman asked if there was any discussion. There was no discussion. The Chairman called the roll. Gary Daly, aye; Steve Turner, aye; James W. "Bill" Latimer, aye; and Ben Harrison, aye. Motion carries unanimously.

MOTION was made by Ben Harrison and seconded by James W. "Bill" Latimer to award the following bid proposal to the lowest responsible bidder meeting specifications as follows:

Proposal No.	Item	Awarded To	Amount
2434	Gasoline & Diesel (April 7, 2013 - July 7, 2013)	W. H. Thomas Oil Company	0.168

The Chairman asked if there was any discussion. There was no discussion. The Chairman called the roll. Gary Daly, aye; Steve Turner, aye; James W. "Bill" Latimer, aye; and Ben Harrison, aye. Motion carries unanimously.

MOTION was made by Gary Daly and seconded by Steve Turner to employ Ronald Andris as a Corrections Officer, pending drug and alcohol screening.

The Chairman asked if there was any discussion. There was no discussion. The Chairman called the roll. Gary Daly, aye; Steve Turner, aye; James W. "Bill" Latimer, aye; and Ben Harrison, aye. Motion carries unanimously.

MOTION was made by James W. "Bill" Latimer and seconded by Ben Harrison to approve the following speed limit.

MINUTES, LIMESTONE COUNTY COMMISSION, MARCH 18, 2013

Road Name	District	Location	Miles Per Hour
Huntsville-Brownsferry Road	3	Interstate 65 to Piney Creek	55

The Chairman asked if there was any discussion. There was no discussion. The Chairman called the roll. Gary Daly, aye; Steve Turner, aye; James W. "Bill" Latimer, aye; and Ben Harrison, aye. Motion carries unanimously.

MOTION was made by James W. "Bill" Latimer and seconded by Ben Harrison to remove the following items from inventory:

Department	Item	Serial #
Information Technology	Cisco IP Phone 7910 Cisco IP Phone 7940 Cisco IP Phone 7945 Cisco IP Phone 7961 Cisco IP Phone 7961	1NM07330E3B 1MN09211CN4 FCH12379YA0 FCH117D785 FCH121D71M

The Chairman asked if there was any discussion. There was no discussion. The Chairman called the roll. Gary Daly, aye; Steve Turner, aye; James W. "Bill" Latimer, aye; and Ben Harrison, aye. Motion carries unanimously.

MOTION was made by Ben Harrison and seconded by Gary Daly to approve the following inventory changes:

- Approve to sell 7.5 KW & 4.0 KW Generators on GovDeals for EMA
- Approve to sell 2 seed spreaders on GovDeals for District 4
- Amend motion made on February 19, 2013 to sell the following items:
 - 1 Safe for District 1 as scrap iron
 - 1 Safe & 3 Engine Stands for District 4 on GovDeals

The Chairman asked if there was any discussion. There was no discussion. The Chairman called the roll. Gary Daly, aye; Steve Turner, aye; James W. "Bill" Latimer, aye; and Ben Harrison, aye. Motion carries unanimously.

MOTION was made by Gary Daly and seconded by Steve Turner to approve the Jail expansion option which gives twenty-four cells and 10,850 square feet; which would have shell space so future cells could be added with only interior work.

The Chairman asked if there was any discussion. There was no discussion. The Chairman called the roll. Gary Daly, aye; Steve Turner, aye; James W. "Bill" Latimer, aye; and Ben Harrison, aye. Motion carries unanimously.

MINUTES, LIMESTONE COUNTY COMMISSION, MARCH 18, 2013

Chairman Menefee stated the two Atlas Cedar trees have been removed from the Courthouse.

Chairman Menefee asked the Commission to be prepared to take action at the next work session to approve an architect for the Courthouse renovation.

Commissioner Turner stated the project at the corner of Capshaw Road and Sanderson Road will be interrupted due to the high water level causing delay of drilling holes.

Recessed at 10:12 a.m. until 10:00 a.m. on Wednesday, March 27, 2013, at the Washington Street Courthouse Annex, 310 West Washington Street, Athens, AL.